

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Root, Inc., et al.,

Plaintiffs,

v.

Silver, et al.,

Defendants.

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Case No. 2:23-cv-512

Judge Sarah D. Morrison

Magistrate Judge Chelsey M. Vascura

DECLARATION OF ELIZABETH S. ALEXANDER

I, Elizabeth S. Alexander, hereby declare as follows on the basis of my personal knowledge:

1. I am an attorney at the law firm Vorys, Sater, Seymour and Pease, LLP. I have personal knowledge of all of the facts set forth herein, and if called as a witness under oath, I could and would competently testify thereto.

2. Along with my colleagues William D. Kloss, Jr. and Grace E. Saalman, I am counsel of record for Plaintiffs Root, Inc., Caret Holdings, Inc., and Root Insurance Agency, LLC (collectively, “Plaintiffs” or “Root”) in the above-referenced matter.

3. I submit this Declaration in support of Plaintiffs’ Motion for Temporary Restraining Order and Preliminary Injunction (the “Motion”).

4. Defendants William Campbell (“Campbell”) and Quantasy & Associates, LLC (“Quantasy”) are represented by counsel in this matter. Their counsel waived service of Summons on February 3, 2023. Their counsel entered an appearance in this matter on February 14, 2023. I intend to serve their counsel with the Amended Verified Complaint and Motion on February 14, 2023 by email.

5. A process server served the Summons and Verified Complaint on the registered agent of Defendant Collateral Damage, LLC (“Collateral Damage”) on February 3, 2023. I do not yet know if Collateral Damage is represented by counsel in this matter. Therefore, on February 14, 2023, we arranged for a process server to serve the Amended Verified Complaint and Motion upon the registered agent of Collateral Damage. We will also send copies of the Amended Verified Complaint and Motion by certified mail.

6. A process server served the Summons and Verified Complaint on the registered agent of Defendant Eclipse Home Design, LLC (“Eclipse”) on February 3, 2023. I do not yet know if Eclipse is represented by counsel in this matter. Therefore, on February 14, 2023, we arranged for a process server to serve the Amended Verified Complaint and Motion upon the registered agent of Eclipse. We will also send copies of the Amended Verified Complaint and Motion by certified mail.

7. A process server served the Summons and Verified Complaint on Defendant Paige McDaniel (“McDaniel”) on February 8, 2023. I do not yet know if McDaniel is represented by counsel in this matter. Therefore, on February 14, 2023, we arranged for a process server to serve the Amended Verified Complaint and Motion upon McDaniel. We will also send copies of the Amended Verified Complaint and Motion by certified mail.

8. We have been diligent in our efforts to serve the Summons and Verified Complaint on Defendant Brinson Caleb “BC” Silver (“Silver”).

- a. First, we contacted Silver’s prior legal counsel to inquire whether Silver would waive service of Summons. Silver’s prior legal counsel stated that he would not be representing Silver in this matter and did not have authority to accept service.

- b. Second, we arranged for a process server to serve the Summons and Verified Complaint on Silver at 6311 Summertime Lane, Culver City, California 90230-4579, which is an address we understood to be associated with Silver. The process server was unsuccessful even after multiple attempts to serve Silver at this location.
- c. Third, we arranged for a process server to serve the Summons and Verified Complaint on Silver at 8331 Bleriot Avenue Los Angeles, CA 90045-3024, which is an address we understood to be associated with Silver. The process server was unsuccessful even after multiple attempts to serve Silver at this location. However, the process server noted the presence of a vehicle in the driveway, lights on in the house, and a package on the porch addressed to Silver.
- d. Fourth, Mr. Kloss contacted the listing agent and the listing agent's General Counsel for Silver and Eclipse's property on sale located at 13105 Biscayne Island Terrace Miami, FL 33181 to notify the listing agent and listing agent's General Counsel of this litigation.
- e. Fifth, on February 12, 2023, Mr. Kloss emailed the Summons and Verified Complaint to two email addresses associated with Silver: (1) hello@bc-silver.com; and (2) brinsonsilver@gmail.com. Mr. Kloss did not receive a "bounce back" notification from either email nor has there been any other indication that the either email otherwise failed to be delivered.
- f. Today, February 14, 2023, we arranged for a process server to serve Summons, the Amended Verified Complaint, and Motion to Silver's Florida address at 1550 Michigan Avenue, Apartment 3 Miami Beach, FL 33139. This address was listed

by Silver's co-Defendants Quantasy and Campbell on their counsels' notice of appearance filed on February 14, 2023.

9. On February 14, 2023, I intend to email the Amended Verified Complaint and Motion to Silver at the following email addresses: (1) hello@bc-silver.com; and (2) brinsonsilver@gmail.com.

10. Further notice of the preliminary injunction and temporary restraining order should not be required under Fed. R. Civ. P. 65. Given the multiple methods of attempted service described above, there is good reason to believe that Silver has actual notice and is evading service.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on this 14th day of February, 2023 in Columbus, Ohio.


Elizabeth S. Alexander